

Request for Adjournment

TO: Honorable Gerard E. Lynch OFFENSE: Conspiracy to Possess With Intent
U.S. District Court Judge to Distribute Cocaine

From: Ross N. Kapitansky Original Sentence Date: September 19, 2008
Sr. U.S. Probation Officer

Re: Andre Gibbs Required Submission to Counsel Date:
DKT. # S1 08 CR 298 (GEL) (35 Days) August 15, 2008

Date: August 21, 2008

Defense Counsel : Martin Geduldig, Esq.

AUSA: Benjamin Naftalis

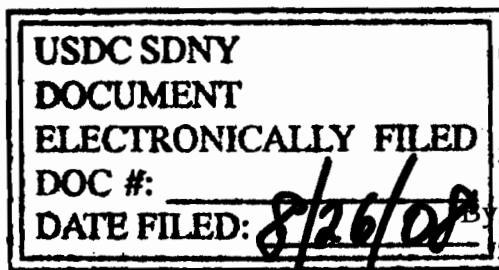
This adjournment is requested for the following reason:

Andre Gibbs pled guilty before Your Honor on June 13, 2008, and sentencing was scheduled for September 19, 2008. We are awaiting criminal history information from U.S. Probation for the Eastern District of Virginia which may directly impact the defendant's guideline calculations. Specifically, it appears that the defendant may qualify as a Career Offender pursuant to §4B1.1.

We have informed the government and defense counsel regarding the adjournment request and as of this writing, we have not received a response.

For the abovementioned reasons, the U.S. Probation Office is respectfully requesting an adjournment in sentencing of approximately four weeks.

It is requested that Your Honor indicate the Court's decision as provided on the following page. Counsel will be notified by copy of this form.



Respectfully submitted,

Chris J. Stanton
Chief U.S. Probation Officer

Ross N. Kapitansky
Ross N. Kapitansky
Senior U.S. Probation Officer
212-805-05165

Approved By:

Kathleen Coad
Kathleen Coad
Supervising U.S. Probation Officer

8/21/08
Date

DKT. S1 08 CR 298 (GEL)

1. AN ADJOURNMENT IS GRANTED: ✓

2. IF APPROVED, NEW DATE OF SENTENCE 10/17/08 TIME & ROOM 2 p.m. Rm. 6B
REQUEST IS DENIED _____

Aug. 26, 2008
DATE

Andre E. Gibbs
U.S. DISTRICT COURT JUDGE